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EXPERIAN HOLDINGS, INC. and
EXPERIAN INFORMATION
SOLUTIONS,
INC.

17 UNITED STATES DISTRICT COURT
18 CENTRAL DISTRICT OF CALIFORNIA
19 SOUTHERN DIVISION

20 IN RE EXPERIAN DATA
21 BREACH LITIGATION

Case No. 8:15-cv-01592 AG (DFMx)

Hon. Andrew J. Guilford

STIPULATED PROTECTIVE
ORDER RE PROTECTION OF
PUTATIVE CLASS MEMBER
EMAIL ADDRESSES

22 WHEREAS, on April 13, 2016, the Court entered a Stipulated Protective Order
23 (the “Protective Order”) (Dkt. 150), to which the Parties and their counsel are bound;
24

25 WHEREAS, in anticipation of meeting the requirements of Fed. R. Civ. P.
26 23(c)(2)(B), Plaintiffs have requested that non-party T-Mobile USA, Inc. (“T-
27 Mobile”) determine if it could supply the email addresses of putative class members

28 STIPULATED PROTECTIVE ORDER RE PROTECTION
OF PUTATIVE CLASS MEMBER EMAIL ADDRESSES

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1 for the purpose of sending direct notice;

2 WHEREAS, the Parties have reached a settlement in this action that would
3 require direct notice to be sent to settlement class members;

4 WHEREAS, T-Mobile has indicated that it would likely be amenable to
5 producing putative class member email addresses, to the extent such data is in T-
6 Mobile's possession, so long as the data is provided directly to the appointed
7 claims/notice administrator (together with its employees, affiliates, and such vendors
8 as may be reasonably required to effectuate any approved settlement, the
9 "Administrator") and is provided for the sole purpose of providing settlement notice;

10 WHEREAS, subject to the Court's approval, the Parties have agreed to expand
11 the rights and obligations provided under the Court's Protective Order.

12 NOW THEREFORE, subject to the Court's approval, the Parties stipulate as
13 follows (the "Stipulation"):

- 14 1. The Administrator shall be bound by the Protective Order and shall be
15 bound by the terms hereof to the same extent as if it were a party hereto,
16 by executing the form attached to this Stipulation as Exhibit A
- 17 2. T-Mobile will produce any and all putative class member email
18 addresses in its possession directly to the appointed Administrator and
19 designate the production as "Confidential" pursuant to the Protective
20 Order (the "Confidential Data").
- 21 3. The Confidential Data shall be secured by the appointed Administrator
22 to prevent and protect against any unauthorized copying, transmission,
23 transfer, access or viewing of any Confidential Data using commercially
24 reasonable data security measures. T-Mobile may review the
25 Administrator's (including any vendors or affiliates) proposed security
26 plan for the Confidential Data and may make reasonable modifications
27

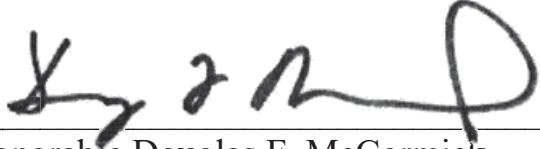
1 to the plan that the Administrator and the Parties will not unreasonably
2 deny. Any breach of this Paragraph 3 shall be considered a material
3 breach of the Stipulation.

- 4
- 5 4. Access to and use of Confidential Data shall be strictly for the purpose
6 of providing settlement notice to settlement class members in this
7 action. No person who receives access to Confidential Data in this
8 action may use any knowledge gained as a result of reviewing the
9 Confidential Data in any other dispute, proceeding or litigation.
- 10 5. The Administrator shall handle the Confidential Data per the
11 requirements of the Protective Order.
- 12 6. The Administrator shall be further prohibited from disclosing the
13 Confidential Data to any of the persons in Paragraphs 4.2.1-4.2.3; 4.2.5-
14 4.2.7; 4.3.1, 4.3.3-4.3.5 of the Protective Order; provided however, that
15 the appointed Claims/Notice Administrator may disclose the
16 Confidential Data to any of the persons in Paragraph 4.2.1 if:
- 17 a. Reasonably necessary to assist the appointed Claims/Notice
18 Administrator with providing notice or settlement benefits to
19 certain class members;
 - 20 b. Reasonably necessary to evaluate whether notice or settlement
21 benefits were actually provided to certain class members;
 - 22 c. Reasonably necessary to respond to class members who
23 communicate with the appointed Claims/Notice Administrator
24 via email;
 - 25 d. Otherwise permitted by agreement by the Parties and T-Mobile;
26 or
 - 27 e. Otherwise permitted or required by Order of the Court.
- 28

1 7. If the Parties or Administrator learn at any time that Confidential Data
2 may have been improperly viewed by unauthorized parties, they will
3 promptly notify T-Mobile, take reasonable measures to retrieve the
4 improperly disclosed Confidential Data, and cooperate with T-Mobile
5 to investigate and resolve any improper disclosure.
6

7 IT IS SO ORDERED.
8

9 Dated: July 9, 2018
10


Honorable Douglas F. McCormick
United States Magistrate Judge
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1 APPROVED AS TO FORM:

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3 Dated: June 21, 2018

PROSKAUER ROSE LLP

4 By: /s/ Courtney M. Bowman
Courtney M. Bowman

5 Attorneys for T-MOBILE USA, INC.

6
7 Dated: June 21, 2018

JONES DAY

8 By: /s/ Edward S. Chang
Edward S. Chang

9 Attorneys for Defendants
10 EXPERIAN HOLDINGS, INC. and
11 EXPERIAN INFORMATION
12 SOLUTIONS,
INC.

13 Dated: June 21, 2018

ROBINSON CALCAGNIE, INC.

14 By: /s/ Daniel S. Robinson
15 Daniel S. Robinson

16 AHDOOT & WOLFSON, PC

17 By: /s/ Tina Wolfson
18 Tina Wolfson

19 *Interim Co-Lead Counsel for the Class*
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28 STIPULATED PROTECTIVE ORDER RE PROTECTION
OF PUTATIVE CLASS MEMBER EMAIL ADDRESSES

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ATTESTATION

Pursuant to Civil Local Rule 5-1, I, L. Daniel S. Robinson attests under penalty of perjury that concurrence in the filing of the within document has been obtained from each signatory.

/s/ Daniel S. Robinson
Daniel S. Robinson

EXHIBIT A
AGREEMENT TO BE BOUND

I, _____ [print or type full name], of _____
[print or type full address], declare under penalty of perjury that I have read in its
entirety and understand the Protective Order that was issued by the United States
District Court for the Central District of California on _____ [date] in the case of
In Re Experian Data Breach Litigation, No. SACV 15-1592 AG (DFMx). I agree to
comply with and to be bound by all the terms of this Protective Order, and I
understand and acknowledge that failure to so comply could expose me to sanctions
and punishment for contempt. I solemnly promise that I will not disclose in any
manner any information or item that is subject to this Protective Order to any person
or entity except in strict compliance with this Order.

I further agree to submit to the jurisdiction of the United States District Court
for the Central District of California for the purpose of enforcing this Order, even if
such enforcement proceedings occur after termination of this action.

I hereby appoint _____ [print or type full name] of
_____ [print or type full address and telephone
number] as my California agent for service of process in connection with this action
or any proceedings related to enforcement of this Order.

Date: _____

City and State where sworn and signed: _____

Printed name: _____

Signature: _____